

SARA Title III

Emergency Planning & Community Right-to-Know Overview

EMERGENCY PLANNING & COMMUNITY RIGHT-TO-KNOW

Michael Young

Michigan
SARA Title III Program - DEQ

January 2016



HISTORY OF THE REGULATION

In 1980, Congress enacted the:
Comprehensive Environmental Response,
Compensation and Liability Act

Purpose:

- Cleanup hazardous waste disposal sites
- Emergency response for hazardous substances released into the environment

CERCLA = Superfund

January 2016

DEQ SARA Title III



HISTORY OF THE REGULATION

Tragically on December 3, 1984 in Bhopal, India
Union Carbide chemical plant Methyl isocyanate
release 4,000 deaths 40,000 maimed & seriously
Injured Plants defoliated Livestock died



January 2016

DEQ SARA Title III



SARA Title III


Emergency Planning & Community Right-to-Know Overview

HISTORY OF THE REGULATION

The Bhopal tragedy sparked an overhaul of U.S. chemical reporting rules and in 1986, congress expanded and reauthorized the Superfund Act.

Now Called:
Superfund Amendments and Reauthorization Act of 1986 (**SARA**)


SARA Title III = Emergency Planning and Community Right-to-Know Act (EPCRA)

January 2016 DEQ SARA Title III 

HISTORY OF THE REGULATION

CERCLA = Superfund
The Superfund Act was Reauthorized in 1986

SARA Title III = EPCRA


January 2016 DEQ SARA Title III 

HISTORY OF THE REGULATION

Remember SARA Title III and EPCRA are one in the same.

The objective of the **SARA Title III\EPCRA** is to:

1. Allow state and local planning for chemical emergencies,
2. Provide for notification of emergency releases of chemicals,
3. Address communities' right-to-know about toxic and hazardous chemicals.

January 2016 DEQ SARA Title III 

SARA Title III

Emergency Planning & Community Right-to-Know Overview

RIGHT TO KNOW

- Employee Right-to-Know
- Firefighter Right-to-Know
- Community Right-to-Know

January 2016

DEQ SARA Title III



WHAT IS RIGHT TO KNOW?

Employee Right-to-Know

- Occupational Safety & Health Administration (OSHA)
- Hazard Communication Standard (29 CFR 1910.1200)
- Safety Data Sheet (SDS)
- www.osha.gov

PROTECTION OF THE EMPLOYEE

January 2016

DEQ SARA Title III



WHAT IS RIGHT TO KNOW?

Firefighter Right-to-Know

- Michigan OSHA (MIOSHA)
- Fire Prevention Code (1941 PA 207)
- Fire Dept. Hazardous Material Emergency Planning Responsibilities (Bulletin 9)
- www.michigan.gov/lara

PROTECTION OF THE FIREFIGHTER

January 2016

DEQ SARA Title III



SARA Title III


Emergency Planning & Community Right-to-Know Overview

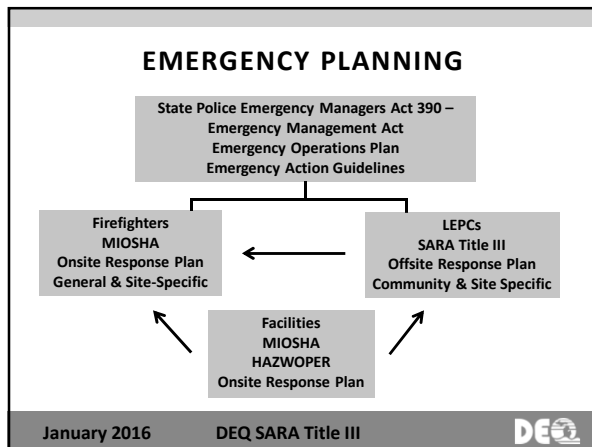
WHAT IS RIGHT TO KNOW?

Community Right-to-Know

- SARA Title III
 - Local Emergency Planning Committee (LEPC) planning responsibilities
 - Facilities provide planning information
 - Facilities provide hazardous chemical inventory
- Tier II report (aka Tier Two; Tier 2)
- www.michigan.gov/sara

PROTECTION OF THE COMMUNITY

January 2016 DEQ SARA Title III 



SARA TITLE III IN MICHIGAN

- Federal Regulation
- Enforced by EPA
- Implemented under Executive Order from the Governor
- No complimentary State law



January 2016 DEQ SARA Title III 

SARA Title III

Emergency Planning & Community Right-to-Know Overview

SARA TITLE III - COMPONENTS


- **Emergency Planning Sections 302 & 303**
- Emergency Release Notification Section 304
- Hazardous Chemical Inventory Sections 311 & 312
- Toxic Chemical Release Inventory Section 313



January 2016 DEQ SARA Title III 

EMERGENCY PLANNING SECT 302 & 303

- Establish State Emergency Response Commission (SERC)
- Michigan Citizen-Community Emergency Response Coordinating Council (Exec. Order 2007-18) "Michigan's SERC"
- Establish Local Emergency Planning Committees (LEPCs)
- 87 LEPCs in Michigan including the cities of Detroit, Ann Arbor, Romulus, and Wayne.

January 2016 DEQ SARA Title III Program 


**EMERGENCY PLANNING
SERC INVOLVEMENTS**

Receive Facility Reports

- DEQ Michigan SARA Title III Program

Review LEPC Plans

- MSP Emergency Management & Homeland Security Division (EMHSD)

January 2016 DEQ SARA Title III 

SARA Title III


Emergency Planning & Community Right-to-Know Overview

EMERGENCY PLANNING

SECT. 303 LEPC REQUIREMENTS


- LEPC writes **Offsite HazMat Response Plans** with specific information about certain facilities.
- Give to MSP-EMHSD & Responders

How does the LEPC get the information they need?



January 2016

DEQ SARA Title III



EMERGENCY PLANNING


SECT. 302 FACILITY REQUIREMENTS

- A facility is subject to section 302 if it has an Extremely Hazardous Substance (EHS) at or above the Threshold Planning Quantity (TPQ)
- Non-reactive solid EHSs have 2 TPQs
- Lower TPQ applies if EHS is in **Powder form, Solution, or Molten form**

See chapter 2 in SARA guidebook for special formulas that apply to non-reactive solid EHSs.

January 2016

DEQ SARA Title III



Example EHS List					
APPENDIX A: SARA Title III Extremely Hazardous Substances					
SARA Title III EXTREMELY HAZARDOUS SUBSTANCES					
CAS	EHS NAME	TPQ*	CAS	EHS NAME	TPQ*
108054	Acetic acid ethyl ester	1,000	534076	Bis(chloromethyl) ketone	10/10,000
75955	Acetone cyanohydrin	1,000	4244925	Bisocanate	500/10,000
1752303	Acetone thiosemicarbazide	1,000/10,000	10294345	Borane, triethyl-	500
107028	Acrolein	500	7637072	Borane, triisoo-	500
75061	Acrylonitrile	1,000/10,000	10294345	Boron trichloride	500
107131	Acrylonitrile	10,000	7637072	Boron trifluoride	500
814086	Acrylyl chloride	100		Boron trifluoride compound with methyl ether (1:1)	1,000
111093	Adiponitrile	1,000	353424	Borane, triisoo[pyridine]methane], (T-	1,000
110913	Alkylarils	100/10,000	353424	4)	1,000
309002	Aldrin	500/10,000	28772967	Bromodichloro-	100/10,000
107186	Allyl alcohol	1,000	7720564	Bromine	500
107119	Allylamine	500	74039	Bromomethane	1,000
20859738	Aluminum phosphide	500	4170303	2-Butenal	1,000
2763954	5-(Aminomethyl)-5-isoxazol	500/10,000	123739	2-Butenal, (w)	1,000
54826	Aminocetone	500/10,000	1391100	Cadmium oxide	100/10,000
504245	4-Aminopyridine	500/10,000	2223230	Cadmium stearate	1,000/10,000
78035	Aniline	500	7728441	Calcium arsenate	500/10,000
3734072	Aniline oxalate	100/10,000	8001352	Camphechlor	500/10,000
7904417	Anisole	500	8001353	Camphe, octachloro-	500/10,000
3009	Antimony	1,000	3009	Carbamide	100/10,000
62002	Antimony	1,000	3009	Carbonyl chloride	500/10,000

SARA Title III

Emergency Planning & Community Right-to-Know Overview

EMERGENCY PLANNING SECT. 302 FACILITY REQUIREMENTS

- Submit Tier II Report (Update or Annual) within 60 days to
 - Michigan SARA Title III Program (online)
 - LEPC
- The 302 report is now part of the Tier II report

January 2016

DEQ SARA Title III



EMERGENCY PLANNING SECT. 302 FACILITY REQUIREMENTS

- Designate a facility emergency (planning) coordinator (included on the Tier II report)
- Provide information requested by the LEPC that it needs to fulfill its planning responsibilities
- Inform the LEPC of any changes relevant to emergency planning

January 2016

DEQ SARA Title III



EMERGENCY PLANNING IN PART 5 RULES FACILITY REQUIREMENTS

- Provide notification to the LEPC that it has completed a **Pollution Incident Prevention Plan (PIPP)** or an **Integrated Contingency Plan (ICP)** containing the PIPP requirements.
- Provide a copy of the PIPP or ICP to the LEPC upon request

January 2016

DEQ SARA Title III



SARA Title III

Emergency Planning & Community Right-to-Know Overview

EMERGENCY PLANNING IN CLEAN AIR ACT SECT 112(R) FACILITY REQUIREMENTS

- Subject facility must have a **Risk Management Program**.
- If the facility will respond to the release:
 - Coordinate their **Risk Management Plan** with LEPC Plan.
 - Provide information to the LEPC upon request for developing and implementing the LEPC Plan.



January 2016

DEQ SARA Title III



EMERGENCY PLANNING IN CLEAN AIR ACT SECT 112(R) FACILITY REQUIREMENTS

If the facility will not respond to the release:

- Assure that facility with **toxic** chemicals is included in the LEPC Plan.
- Assure that facility with **flammable** substances has coordinated response actions with the local fire department.

January 2016

DEQ SARA Title III



SARA TITLE III - COMPONENTS

- Emergency Planning
Sections 302 & 303
- **Emergency Release
Notification
Section 304**
- Hazardous Chemical Inventory
Sections 311 & 312
- Toxic Chemical Release Inventory
Section 313

January 2016

DEQ SARA Title III



SARA Title III

Emergency Planning & Community Right-to-Know Overview

EMERGENCY RELEASE NOTIFICATION SECTIONS 304

- ≈ 770 **Hazardous Substances** (CERCLA - published list)
- 355 Extremely Hazardous Substances (**EHS**) (SARA Title III- published list)
- “Reportable Quantity” (**RQ**)
- **List of Lists** has reportable chemicals and RQs

January 2016

DEQ SARA Title III



LIST OF LISTS

NAME	CAS/313 Category Codes	Section 302 (EHS) TPQ	Section 304 EHS RQ	CERCLA RQ	Section 313	RCRA CODE	CAA 112(b) TQ
O,O-Dimethyl O-(3-methyl-4-(methylthio) phenyl) ester, phosphorothioic acid	55-38-9				X		
Fenthion	55-38-9				313		
Nitroglycerin	55-63-0			10	313	P081	
Diisopropyl fluorophosphate	55-91-4	100	100	100		P043	
Isocyanuric acid	55-91-4	100	100	100		P043	
Methylthiouacil	56-04-2			10		U164	
Carbon tetrachloride	56-23-5			10	313	U211	
Cantharidin	56-25-7	100/10,000	100				
Bis(tributyltin) oxide	56-35-9				313		
Parathion	56-38-2	100	10	10	313	P089	
Phosphorothioic acid, O,O-diethyl-O-(4-nitrophenyl) ester	56-38-2	100	10	10	X	P089	
3-Methylcholanthrene	56-49-5			10	313+	U157	
Diethylstilbestrol	56-53-1			1		U089	
Benz[a]anthracene	56-55-3			10	313+	U018	
Coumaphos	56-72-4	100/10,000	10	10			
1,1-Dimethyl hydrazine	57-14-7	1,000	10	10	313	U098	15,000
Dimethylhydrazine	57-14-7	1,000	10	10	X	U098	15,000
Hydrazine	57-14-7	1,000	10	10	X	U098	15,000

January 2016

DEQ SARA Title III

EMERGENCY RELEASE NOTIFICATION FACILITY REQUIREMENTS

- There are 28 state and federal regulations with release reporting requirements that apply in Michigan.
- Permits, licenses, local ordinances, contingency and pollution prevention plans might have additional release reporting requirements.
- Significant changes to Part 201



January 2016

DEQ SARA Title III

SARA Title III

Emergency Planning & Community Right-to-Know Overview

EMERGENCY RELEASE NOTIFICATION SECTIONS 304

Immediately (within 15 mins) notify:

- LEPC
- SERC
DEQ Pollution Emergency Alerting System
(PEAS) Or MDARD Hotline (Agriculture)
- U.S. Coast Guard National Response Center (NRC)
Follow-up report to SERC & LEPC



January 2016

DEQ SARA Title III



EMERGENCY RELEASE NOTIFICATION FACILITY REQUIREMENTS

- Bottom Line: For any release,
- IMMEDIATELY notify:
- LOCAL – 911
- STATE – PEAS
- FEDERAL – NRC
- Then assess the situation and make additional notifications as required.

See chapter 6 for details.

January 2016

DEQ SARA Title III



SARA TITLE III - COMPONENTS

- Emergency Planning
Sections 302 & 303
- Emergency Release
Notification
Section 304
- Hazardous Chemical Inventory
Sections 311 & 312
- Toxic Chemical Release Inventory
Section 313



January 2016

DEQ SARA Title III



SARA Title III

Emergency Planning & Community Right-to-Know Overview

HAZARDOUS CHEMICAL INVENTORY SECTIONS 311 & 312

- Hazardous Chemicals = all substances for which the **OSHA Hazard Communication Standard** requires the facility to maintain **SDSs** (Employee Right-to-Know).
- There is **NO LIST** of OSHA Hazardous Chemicals!



January 2016

DEQ SARA Title III



HAZARDOUS CHEMICAL INVENTORY SECTIONS 311 & 312

Thresholds for reporting

- **OSHA hazardous substances:**
10,000 pounds
- **EHS:**
500 pounds or TPQ (whichever is lower)
- **Requests by LEPC/Fire Dept:**
zero pounds

January 2016

DEQ SARA Title III



HAZARDOUS CHEMICAL INVENTORY SECTIONS 311

- **INITIAL REPORT** due within **3 months** after threshold reached
- Submit current year Tier II Report Update with the new chemicals to:
 1. Michigan SARA Title III Program (online)
 2. LEPC
 3. Fire Department

January 2016

DEQ SARA Title III



SARA Title III

Emergency Planning & Community Right-to-Know Overview

HAZARDOUS CHEMICAL INVENTORY SECTIONS 312

- **ANNUAL REPORT** due by **March 1st**
- Submit current year Tier II Report Annual (Emergency & Hazardous Chemical Inventory) with previous year inventory to:
 1. **Michigan SARA Title III Program (online)**
 2. **LEPC**
 3. **Fire Department**

January 2016

DEQ SARA Title III

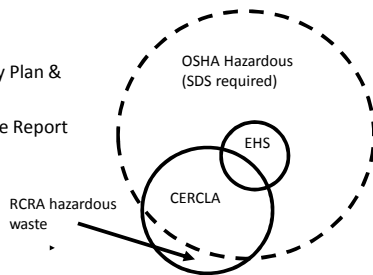


HAZARDOUS SUBSTANCES COVERED BY SARA TITLE III

OSHA: Tier II

EHS: Emergency Plan & Release Report

CERCLA: Release Report



CERCLA & EHS are in the list of Title III



SARA TITLE III - COMPONENTS

- Emergency Planning
Sections 302 & 303
- Emergency Release
Notification
Section 304
- Hazardous Chemical Inventory
Sections 311 & 312
- **Toxic Chemical Release Inventory
Section 313**

January 2016

DEQ SARA Title III



SARA Title III

Emergency Planning & Community Right-to-Know Overview

TOXIC CHEMICAL RELEASE INVENTORY (TRI) - SECTION 313

- Annual TRI Report due by July 1st
- Submit Form R to via TRI-MEweb:
 - Michigan SARA Title III Program
 - EPA
- Toxic = ~ 650 listed chemicals & chemical compounds
- Cumulative releases & waste transfers
- Release = allowed and accidental
- Subject facilities

January 2016

DEQ SARA Title III



TOXIC CHEMICAL RELEASE INVENTORY (TRI) - SECTION 313

Subject Facilities:

- At least **10 full time employees**
- Subject **North American Industrial Classification System (NAICS)** codes
- Amount manufactured*, processed, or otherwise used **exceeds a toxic chemical activity threshold**

*Manufacture includes chemicals created as an impurity or byproduct

January 2016

DEQ SARA Title III

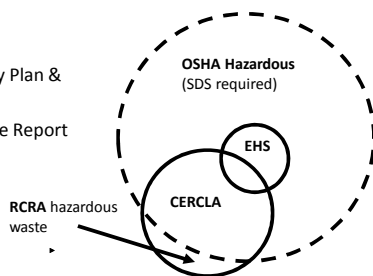


HAZARDOUS SUBSTANCES COVERED BY SARA TITLE III

OSHA: Tier II

EHS: Emergency Plan &
Release Report

CERCLA: Release Report

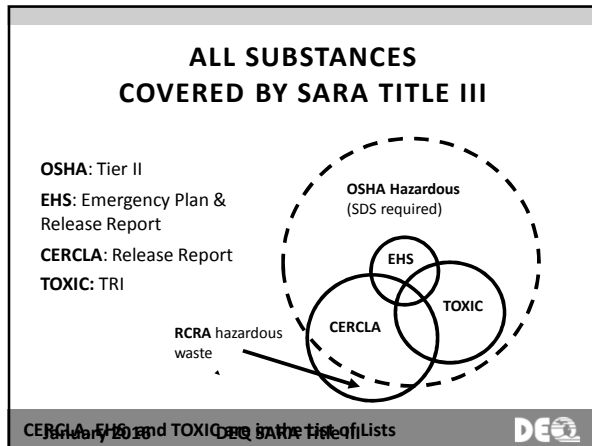


CERCLA & EPCRA are in the scope of SARA Title III



SARA Title III

Emergency Planning & Community Right-to-Know Overview



www.michigan.gov/sara

DEQ Department of Environmental Quality

DEQ - COMMUNITY RIGHT TO KNOW

Emergency Planning and Community Right-to-Know

- SARA Title III - Community Right-to-Know

Title III of the Superfund Amendments and Reauthorization Act ("SARA Title III") is also known as the Emergency Planning and Community Right-to-Know Act (EPCRA). This act has four main components:

- Emergency Planning & Notification (Sections 302 & 303)
- Emergency Release Notification (Section 304)
- Hazardous Chemical Inventory (Sections 311 & 312)
- Toxic Chemical Release Inventory (Section 313)

For other facility Emergency Planning requirements, go to www.michigan.gov/deq/emergencyplan.

For Employee Right-to-Know requirements, go to www.osha.gov or view the Hazard Communication Standard fact sheet.

January 2016 DEQ SARA Title III

www.michigan.gov/sara cont.

For Firefighter Right-to-Know requirements, see [Fire Marshal Bulletin](#).

Tier II Manager Program is ready to accept Tier II reports.

SARA Title III

SARA Title III - Toxic Chemical Release Inventory

SARA Title III - Hazardous Chemical Inventory

SARA Title III Emergency Planning & Notification

SARA Title III Release Reporting

Stay Connected

DEQ Contacts

Our Performance

DEQ Documents

DEQ Regulations

January 2016 DEQ SARA Title III

SARA Title III

Emergency Planning & Community Right-to-Know Overview

www.michigan.gov/chemrelease

DEQ SARA Title III

www.michigan.gov/deqemergencyplan

DEQ SARA Title III

www.michigan.gov/emhsd

DEQ SARA Title III

SARA Title III

Emergency Planning & Community Right-to-Know Overview

**MICHIGAN SARA TITLE III
PROGRAM STAFF**

Mike Young

Benita Flores

January 2016 DEQ SARA Title III 

**SARA TITLE III:
REPORTING QUESTIONS?**

Michigan SARA Title III Program


517-284-SARA (284-7272)
deq-sara@michigan.gov
www.michigan.gov/sara



**SARA TITLE III:
LEPC AND EMERGENCY
PLAN QUESTIONS?**

Michigan State Police
Emergency Management and Homeland Security Division

517-256-4408
Jay Eickholt: eickholtj1@michigan.gov
www.michigan.gov/emhsd



SARA Title III

Emergency Planning & Community Right-to-Know Overview

**ENVIRONMENTAL PROGRAM
QUESTIONS**

MDEQ Environmental Assistance Center
Your Index to the DEQ
800-662-9278
deq-assist@michigan.gov
www.michigan.gov/deq

